

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 1:05-CR-140-A
	)	
HOWARD E. BROOKSHIRE, JR.	)	

**UNITED STATES' MOTION FOR DOWNWARD  
DEPARTURE FOR ACCEPTANCE OF RESPONSIBILITY**

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and respectfully moves this Court to reduce by one (1) level Defendant's offense level based on his acceptance of responsibility. As grounds for this Motion, the United States avers as follows:

1. An Information was filed in the Middle District of Alabama against Defendant on or about June 20, 2005.
2. Defendant notified the United States of his intent to plead guilty to the Information sufficiently early to permit the government to avoid preparing for trial and to allocate its resources efficiently. Defendant pled guilty on June 27, 2005.
3. Therefore, pursuant to United States Sentencing Guidelines § 3E1.1(b), as amended, the United States makes this formal motion for a one-level reduction in Defendant's offense level for acceptance of responsibility.

WHEREFORE, the United States respectfully requests that this Motion be GRANTED and that the Court reduce Defendant's offense level by one level for his acceptance of responsibility.

Respectfully submitted this the 7<sup>th</sup> day of September, 2005.

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 7, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Michael J. Petersen.

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